

POISON CLUE BARED IN LEBAUDY TRAGEDY

Attorney Hears Story Indicating Victim Planned to Kill Wife and Child.

DAUGHTER AT FUNERAL Inquest in Westbury Ends— Wife Prays Continually in Mineola Jail.

Information came to Harry W. Moore, attorney for Mrs. Marie Augustine Lebaudy, at Mineola yesterday which fully substantiated what he had concluded from his examination of the evidence to his mind that Jacques Lebaudy intended to carry out his reported threats to "finish" his wife and daughter Jacqueline in that he tried to purchase poison a few hours before he was shot by Mrs. Lebaudy in their Westbury home.

After the body of Lebaudy had been buried yesterday afternoon in the cemetery of St. Brigid's Roman Catholic Church and an inquest had been held at Mineola, Moore received a telephone call from a drug clerk in Manhattan. The clerk gave him the name and address of the lawyer, but Moore decided to withhold them for the time being.

The drug clerk, Moore said, told a circumstantial story that a man of peculiar mannerisms had entered the drug store where he is employed on Saturday morning. The clerk, he said, thought the prospective customer bore a close resemblance to the slain man, basing his judgment on the descriptions and photographs of Lebaudy published in the newspapers since the murder.

Acted Like One Demented.
He further fitted the description because he impressed the clerk at the time as either demented or under the influence of drugs. According to Mr. Moore, who related the incident at the drug store, the clerk asked him what he wanted. "I want some cyanide of potassium," the customer replied.

"You can't have it without a prescription," said the clerk. "What do you want it for?"
The customer's reply to this was confusing to the clerk. He thought his customer said "for my wife and child," but he either demented or under the influence of drugs. According to Mr. Moore, who related the incident at the drug store, the clerk asked him what he wanted. "I want some cyanide of potassium," the customer replied.

Attorney Starts Investigation.
Mr. Moore said that the clerk, becoming suspicious by the man's strange appearance and the fact that he had no prescription for the poison, refused to give him any. Mr. Moore last night started an investigation into this angle to the tragedy for possible use in the event of the Grand Jury returning an indictment after resuming its sessions next Tuesday.

Justice Delays Findings.
Justice Jones announced that he would examine the testimony and make known his findings later. Thereupon Jacqueline went with Mrs. Ladenburg to the gray prison behind the county Court House and stayed for several hours in the cell-like room occupied by her mother. She found her mother had spent a restless night, but apparently was bravely facing the prospect of remaining in jail. She said her mother was praying incessantly.

Lighterage Service Asked.
A resolution was unanimously adopted by the Chamber of Commerce of the State of New York yesterday asking the Railroad Administration to restore the lighterage service "guaranteed under existing tariffs" to the port of New York. The resolution recited that the railroad tariffs have for years guaranteed lighterage within certain limits in the harbor and that the wartime conditions which caused the Federal authorities to suspend the service no longer exist.

Daughter Sends Lilies.
It is not known who sent the roses, but the lilies came from Jacqueline. She already was in the church, having come from the home of Thomas J. McGinnis about half an hour before, accompanied by Mrs. McGinnis and Ernest Suffern, a friend of the family. Outside of the Rev. William F. McGinnis, pastor of the church, who conducted the service, and the altar boys, these three, with Attorney Moore, were the only persons directly concerned who were present.

Explains Attitude of Church.
The offices of the church and Christian burial are permitted only when the deceased has apparently led a Catholic life—has gone to mass regularly, has received Holy Communion frequently or at least once a year, around Easter time, or at least has received the sacraments before death.

Before offering the prayers of the church over the body of the slain Lebaudy and placing his mortal remains in consecrated ground, it may be well to explain publicly the reasons for this action, to avoid misunderstanding of kind.

How, then, can this situation be reconciled, and why may we say the

public prayers of the church and bury him among the faithful? There is one plea only in justification—because everything that I have seen or heard of him since his death to this parish has convinced me that this poor man was not morally responsible for his words and actions.

What his public actions and utterances were elsewhere I know not, but I do know what they have been in this parish. If the man were sane and responsible, he would have no course would be open to me other than to refuse admission of his body to the church and of its interment in consecrated ground. But the church always gives the benefit of the doubt to the deceased man, which justifies me in permitting his entrance to the church and sacred burial for him."

Daughter Remains Calm.
Then the service proceeded to its close, while Jacqueline maintained a demeanor of quiet composure. Her emotions did not seem to be stirred when shortly after 1 o'clock the body was carried to the grave by the pallbearers, who were Leonard Thorn, the constable; Charles O'Connor, the county detective; H. J. Hutchings and C. H. Farrell.

Jacqueline remained outside the altar while Father McGinnis said the final words as the coffin was lowered into the ground. It was when the grave had been filled and a mound raised over it that Jacqueline showed emotion.

As the group of onlookers turned away, Jacqueline, stooping over, laid a spray of lilies on his grave. Then she went to the town hall for the inquest, accompanied by Mrs. Emily Ladenburg and Mrs. Minnie Weidner, her mother's nurse.

The girl was quite calm as she sat with these friends and watched the proceedings conducted by Justice of the Peace Walter R. Jones, sitting on the bench. She was equally self-composed when she was on the stand, answering for fifteen minutes the questions of Justice I. Wood, Assistant District Attorney.

Repeats Story at Inquest.
Jacqueline told her story of being in her room in the Westbury home at the time of the shooting, of hearing shots and of running down stairs to her mother's room in time to see her being assisted into bed by Mrs. Weidner. She had not seen her father's body on the floor before, she said.

"What do you know about the revolver in your mother's hand?" the prosecutor's assistant asked.

"Mother had carried a revolver in her pocket for more than three weeks," answered Jacqueline. "It was black. I don't know why she carried it."

She identified the revolver produced in court as the one referred to, and when she turned the nurse testified she hadn't noticed Mrs. Lebaudy carrying the weapon when she helped her into her room, but thought she might have carried it. She said she had seen the shooting on a professional appointment with her patient, Dr. Howard M. Phipps, who testified to examining the body of Lebaudy about an hour after the shooting, covering a loaded revolver in an outside coat pocket, and Jules Lascombe, the gardener, who said that at the time of the shooting he was in the garage milking the cows.

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Last evening Jacqueline returned to her temporary home with Mrs. McGinnis, her pastor's sister-in-law, where for the first time in her life she has a little girl companion of her own age to play with.

A committee of five is to be appointed to make representations to the Government and Railroad Administration officials. The cooperation of the Merchants Association, Queens Chamber of Commerce, New York Board of Trade and Transportation and Brooklyn Chamber of Commerce is expected.

DOWLING FAILS TO END MILK STRIKE

Chairman of Governor's Commission Confesses He Is Balked by a Detail.

RECEIPTS NEAR NORMAL Another Effort Will Be Made To-day to Bring Farmers and Distributors Together.

The fourth "final" meeting of the milk producers and the distributors resulted in 0 yesterday, while New York continued short of milk. Incidentally the strike may run out on the farmers, for 87 per cent of the normal milk supply was reached yesterday, when 1,874,374 quarts were imported from afar. The farmers are firm, however, and the distributors seem to be made of the same material.

A ray of hope was held out yesterday, but only for a moment, only to be lost a moment after. Robert E. Dowling, chairman of the Governor's milk commission, had the whole problem solved to the entire satisfaction of all when somebody discovered a detail that grew into a mountain from a molehill and nullified the agreement. And the magnified detail was not in the agreement, but in the method of putting the agreement into effect.

The agreement had been reduced to paper and Gov. Smith had been apprised of the commission's success and had gone so far as to express his approval when the deadlock came. He was informed of the dispute in tones of disgust.

Just a Mere Detail.
In the same tones, modulated to confine themselves to 165 Broadway without swelling out the walls, Mr. Dowling told of his successful failure at settling the milk strike.

"Why we had the thing all fixed up, not only for January prices but for February and March as well, when some one discovered something absolutely irrelevant to the agreement, though bearing upon its enforcement. It was just a detail."

Anger and a reporter interrupted, the latter long enough to ask Mr. Dowling the nature of the detail; anger long enough to tell him that, but it was like this: Suppose I buy a house from you, the price is paid, the deed delivered and everything O. K., and suddenly the janitor finds half a ton of coal in the cellar. To whom does it belong, you or me? And then we wrangle and can't agree and we nullify the sale just because of a detail while the coal is still in the cellar.

Reporters hazarded guesses that it was a matter of distribution. "Out of the thousands of places that milk is sold, the question of just one is holding up the whole thing. And in the meantime people are suffering because we haven't a necessary supply of milk. Why, children may die for the want of it while they argue."

Will Try Again To-day.
"Gov. Smith, after I told him of the argument about the detail, asked me to get them together again in the hopes that they will agree. I was through, but I promised him that I'd invite them to confer to-morrow (this) morning."

"What do you think of the chances for agreement?"
"Last evening I was calm."

"Are you as optimistic as ever?"
"No," Mr. Dowling shouted emphatically. "From what we can gather, the meeting was rather childish," a reporter ventured.

"Young man, you gather right. It was childish."

Mr. Dowling was angry clean through and it was with effort that he held his voice to even tones as he told briefly in the presence of all the conferees—whom he had commanded to remain while he gave the press a statement—of the proceedings of the afternoon. When he had finished one of the men—either the owner of a cow or a distributor—said that the conferees would stand on Mr. Dowling's statement and they sagged out of the office.

James J. Walker, State Senator, and Joseph L. Kelly, Assemblyman, called upon John T. Pooling, Assistant District Attorney, who is conducting the milk inquiry before Chief Magistrate McAdoo, to get information that may lead to remedial legislation. They said it was better to save the lives of children than to appropriate money for bridges and highways and things.

Alfred W. McMan, a food expert,

15 Reasons

Why First Mortgages Guaranteed by this Company Are the Best Investment for Prudent People.

The Company makes frequent losses by having to take depreciated real estate and pay the lender his principal, but its losses are trifling compared with the losses of investment companies on their investments in bonds and stocks.

The well managed savings banks have had the same experience. They have had to take some real estate, but the losses on it have been small compared with the depreciation of the best municipal and corporate bonds which they have to carry by law.

The lesson to all investors, individual and corporate, is that they should increase their mortgage holdings and limit their holdings of fluctuating securities.

No investor has ever lost a dollar.

BOND & MORTGAGE GUARANTEE CO.

Capital and Surplus, \$10,000,000
176 Broadway, New York
175 Nassau St., 156 Montague St., 81 N.Y.
350 Fulton St., Jamaica

didn't have anything more against "the gang" than wanting to shoot them, or if, he testified against a number of other things. Here's a sample:

"Anything," he said, "that interferes with the ability of the child to get milk is an assault upon the child. Something ought to be done with the whole gang. They ought to be indicted. I would rather take the man home to dinner with me who steals my watch than to associate with the men who are responsible for withholding milk from the children."

GOV. SMITH IS HOPEFUL.

Believes Milk Question Will Be Settled To-day.

ALBANY, Jan. 17.—After Gov. Smith had been informed that an agreement between the dairymen and milk distributors under which New York city would receive an unlimited supply of milk had been reached, Chairman Dowling of the special milk commission recently appointed by the Governor called the Executive on the telephone and informed him that the agreement was still in the air owing to a new complication which had arisen. The Governor, however,

expressed the belief that the matter was slight and could be adjusted.

The Governor was told by Chairman Dowling that after it was thought that everything regarding the milk controversy had been adjusted a question arose regarding a milk station in New Hampshire, and that the representatives of the distributors asked that they be given until to-morrow morning in which to confer with the distributors.

Under the terms of the agreement first reached to-day the producer would be paid \$4.01 a hundred pounds of milk in January, \$3.54 in February and \$3.31 in March. In March the \$3.31 rate would apply to producers within a radius of 150 miles of New York, while producers in the 250 mile zone would be paid \$3.23. The producers had insisted on \$4.01 for milk in January, and the best previous offer of the distributors for that period was \$3.65.

After January 25 the distributors would take all the milk the dairymen sent, and from now until January 25 shipments would be limited only by the number of cans available.

Webster's Fairy Opera Is Heard
With Demonstrations of
Pleasure.

A BRILLIANT SPECTACLE
Beauty of Music Is Alone Sufficient to Win Popular Favor.

Webster's fairy opera, "Oberon," was repeated at the Metropolitan Opera House last evening. The audience was of large size and its demonstrations of pleasure showed that the revival had met with substantial favor. There was ground for doubt whether the loosely jointed story, the episodic nature of the action and the lack of dramatic continuity in the music might militate against the success of "Oberon" in a time when concentration of purpose plays so large a part in the acts of the lyric drama.

Such doubt has been obliterated by the reception accorded to the work, and the revival has been justified. The beauty of the music is alone sufficient to account for the pleasure of the public. It is music of a type quite different from that of the present popular style of opera and also stimulates interest.

The music, too, is admirably performed under the direction of Mr. Bodansky. Furthermore, operagoers have learned to enjoy stage spectacle and in this "Oberon" is most brilliant. The incidents permit the most liberal exercise of the scene painter's fancy, and Mr. Urban has given to the settings his most bewildering conceptions. The cast is a good one, though not of exceptional distinction. Miss Fosselle, Miss Gentile, Mme. Delaunoy, Mr. Martinielli and Mr. Althaus are the principal figures.

In the Audience.
Mr. and Mrs. James Speyer, Mrs. Burke Roche, Augustus D. Juillard, Leo Liddle and Frederick H. Baldwin were with Mrs. Herbert K. Pearson.

Mrs. Benjamin Thaw, Miss Madeleine Liebert and Gaston Liebert were in the Kahn box.

Mr. and Mrs. James Brown Potter and Miss Juliana Cutting were with Charles T. Matthews.

Mr. and Mrs. Charles H. Hillhouse and Mr. and Mrs. Thomas Hastings were guests of Mrs. Hamilton Mok Twombly.

Mr. and Mrs. Hamilton Carhart, Madison Grant and Sully Jones were with Miss Charlotte Pell.

Mr. and Mrs. James Lowell Putnam and Mrs. Lounsbury were with Mrs. William Post.

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Mr. Quine's programme was uncommon in character and arranged with good judgment. Naturally it began with early airs, but even among these the singer found it possible to place one rarely heard, namely the invocation of "Orpheus" from Jacopo Peri's "Euridice," a beautiful example of the "stile parlante" with which the Florentine coterie introduced modern Italian opera to the world.

French and English songs of variety and melodic charm occupied much of the recital. Mr. Quine has a voice of good quality, tending a little toward dryness, but none the less capable of delicate musical modulation and pleasing expression. His technique, though not yet perfected, is far advanced and his tones were generally free and susceptible of the dynamic gradation. His pronunciation was admirable, especially in the purity of the vowel sounds.

But still more important it was the young singer's style and taste. He delivered each song with a nice sense of its musical character, and in his interpretation methods displayed appreciation and a knowledge of effect. Mr. Quine will undoubtedly be heard again and should attain a good position in his chosen field.

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Mrs. Felix Rosen were in the Mills box. Capt. and Mrs. Reginald Ronalds were with Mr. and Mrs. Joe Andre.

There were also in the audience were Mrs. Charles B. Alexander, Miss Louise Sanda, Mrs. Winthrop Chandler, Major G. Craigdon Webb, Mrs. Henry Payne Whitney, Mrs. Samuel A. Weldron, Mr. and Mrs. E. Hayward Ferry, Mrs. W. De Forest Manice, Mr. and Mrs. Lewis H. Giverty, Mrs. William Harbour, Warren Harbour, Mr. and Mrs. Edward J. Berwind, Miss Helen Rivers, Mr. and Mrs. A. Murray Young and Charles E. Sampson.